

Posted – July 14, 2010

REGULAR MEETING JULY 19, 2010

TOWN COUNCIL OF THE TOWN OF MIDDLETOWN, RHODE ISLAND

The following items of business, having been filed with the Town Clerk under the Rules of the Council, will come before the Council at a regular meeting to be held on Monday, July 19, 2010 at 7:00 P.M. (EXECUTIVE SESSION AT 6:00 PM) at the Middletown Town Hall, 350 East Main Road, Middletown, Rhode Island.

Any person not a member of the Council, desiring to address the Council concerning a matter on the docket of the Council, not the subject of a Public Hearing, shall submit a written request to the Town Clerk stating the matter upon which he desires to speak. Persons are permitted to address the Council for a period not to exceed five (5) minutes.

EXECUTIVE SESSION

Pursuant to provisions of RIGL, Sections 42-46-2.,42-46-4., and 42-46-5. (a) (2) Collective Bargaining (Police, Fire, Public Works and Town Hall Unions).

ACTING AS A BOARD OF LICENSE COMMISSION

1. (Public Hearing Advertised; abutters notified)

Application of Royal Plaza, LLC, dba Portofino Bar & Grille at Royal Plaza Hotel, 425 East Main Road, Middletown, for a Retailer's Class BT Alcoholic Beverage License for the 2009-2010 licensing year.

2. Petition of Olin D. Gambrell, President and Jane Gambrell, Secretary, All-Vets Club, 985 Aquidneck Avenue, re: Request for expansion of Class D Alcoholic Beverage License to provide outdoor service on July 24, 2010, Steak Fry Fundraising event for charities.

CONSENT CALENDAR

1. Approval of Minutes – Special Meeting, June 9, 2010.

2. Approval of Minutes – Special Meeting, June 14, 2010.

3. Approval of Minutes – Special Meeting, June 16, 2010.

4. Approval of Minutes – Special Meeting, June 21, 2010.

5. Approval of Minutes – Regular Meeting, June 21, 2010.

6. Pension Investment Advisory Committee, re: Minutes.

7. Communication of Superintendent of Schools Rosemarie K. Kraeger, re: Confirmation of appointments to the Regionalization Committee.

8. Resolutions three (3) from the Town of Cumberland, re: 1) Requesting support of Fair Education Funding Formula 2) Binding Arbitration and 3) Contract Continuation.

9. Memorandum of Tax Assessor, with enclosures, re: Cancellation of taxes for Middletown taxpayers.

10. Resolution of the Council, re: Cancellation of taxes for Middletown taxpayers.

11. Memorandum of Town Administrator, re: Tax Collector's Report for period ending June 30, 2010.

12. Application of Rui F. Almeida dba Doughboy's Kitchen, Fall River, MA for RENEWAL of Mobile Food Service License for the 2010-2011 licensing year.

13. Application for Special Event Permit from Newport Film for Newport Film Outdoors @ Sweet Berry Farm to be held at Sweet Berry Farm, 915 Mitchell's Lane on Wednesday, July 28, 2010 beginning at 7:00 pm until 10:00 pm.

14. Application for Special Event Permit from Caitlin A. Hill, representing Sweet Berry Farm, for The Ravers at Sweet Berry Farm to be held at Sweet Berry Farm, 915 Mitchell's Lane on Saturday, August 21, 2010 beginning at 4:00 pm until 7:00 pm.

15. Application for Special Event Permit from St. Columba's for the "Run for the Island" to be held at St. Columba's, 55 Vacluse Avenue on Saturday, August 21, 2010 beginning at 9:00 am. (Traffic Plan attached)

16. Application for Special Event Permit from Tuesday Night Athletic Foundation/USA Swimming for Second Beach Open Water Challenge to be held at Second Beach on Saturday, September 18, 2010 from 7:00 am to 12:00 pm; rain date Sunday, September 19, 2010 from 7:00 am to 12:00 pm.

TOWN COUNCIL

- 1. Memorandum of Town Administrator, re: Employee Recognition Program – Pins of Service.**
- 2. Application of Royal Plaza, LLC dba Portofino Bar & Grille at Royal Plaza Hotel, 425 East Main Road for a Victualling House License for the 2009-2010 licensing year. (NEW)**
- 3. Application of EvaRuth's, Inc. dba Eva Ruth's, 796 Aquidneck Avenue for a Victualling House License for the 2009-2010 licensing year. (NEW)**
- 4. Application of Flat Waves, LLC dba Flat Waves, 1130 Aquidneck Avenue for a Hawkers License for the 2010-2011 licensing year. (NEW)**
- 5. Application of Newport Vineyards, 909 East Main Road for a one day Amusement License for a Jazz Performance – Trio to be held on Thursday, August 5, 2010.**
- 6. Application of Newport Vineyards, 909 East Main Road for an Amusement License for a Shakespeare Performance to be held on Friday, August 6, 2010 and Saturday, August 7, 2010.**

- 7. Communication of Sam Fazzio, Cumberland, Rhode Island, re: Campground fees 25% increase for fiscal year July 1, 2010 to June 30, 2011.**
- 8. Memorandum of Town Administrator, re: Review of NBCS Coyote Best Management Practices.**
- 9. Memorandum of Town Administrator, with enclosures, re: Concerns about Forest Avenue.**
- 10. Memorandum of Robert M. Silva, Chairman Economic Development Advisory Committee, re: Mayforth Group – Recommendation for contract extension.**
- 11. Resolution of the Council, re: Award of contract extension Mayforth Group, LLC.**
- 12. Memorandum of Town Administrator, with enclosures, re: West Main/Coddington Master Plan.**
- 13. Resolution of the Council, re: Award of contract to fund West Main/Coddington Master Plan.**
- 14. Memorandum of Town Administrator, with enclosures, re: Contract Award – Financial Audit Services.**

15. Resolution of the Council, re: Award of contract for Financial Audit Services.

16. Memorandum of Town Administrator, re: Increasing Penalties for Dog Control Violations and Fees for Dog Licenses.

17. Resolution of the Council, re: Amendment to RIGL 4.13.1 Regulatory ordinance – Enforcement and penalties for animal control violation for the Town of Middletown.

18. Memorandum of Town Administrator, with enclosures, re: Removal of restriction on Joel Peckham lease revenue.

19. Resolution of the Council, re: Removal of restriction on Joel Peckham lease revenue.

20. Resolution of the Council, re: Opposition to Hess Weaver's Cove LNG "Offshore" Proposal Ferc Docket #CP04-36-000.

21. Resolution of the Council, re: Approving submission of the proposed Road Construction and Drainage and Sidewalk Improvements bond question to Office of the Secretary of State for inclusion on the November 2, 2010 General Election ballot.

**22. An Ordinance of the Town of Middletown (Second Reading)
An Ordinance in amendment to the Town Code of the Town of**

Middletown, Title III Administration, Chapter 36 Fee Schedule, Section 49 Hazardous Materials Response Fee.

23. An Ordinance of the Town of Middletown (First Reading)

An Ordinance in amendment to the Town Code of the Town of Middletown, Title XI, Business Regulations, Chapter 110, General Provisions, Section 110.01, Issuance and Renewal of Town Licenses and Permits.

24. Communication of Cheryl Sanford Jenkins, Ed.D., Director of Counseling & Health Education, St. George's School, re: Resignation from the Middletown Substance Abuse Prevention Task Force.

25. Email Communication of Eileen (Spillane) Rice, re: Resignation from the Middletown Economic Development Advisory Committee.

26. Memorandum of Council President, re: Regional School District Planning Committee.

27. Appointment of two (2) members to the Conservation Commission for terms expiring July 2013.

28. Appointment of one (1) member to the Economic Development Advisory Committee for a term expiring January 2013.

PUBLIC FORUM SESSION

Pursuant to Rule 23 of the Rules of the Council, Citizens may address the town on one (1) subject only, said subject of substantive Town business, neither discussed during the regular meeting nor related to personnel or job performance. Citizens may speak for no longer than five (5) minutes and must submit a public participation form to the Council Clerk prior to the start of the meeting.

Wendy J.W. Marshall, CMC

Town Clerk

This meeting location is accessible to the handicapped. Individuals requiring interpreter services for the hearing impaired should notify the Town Clerk's Office not less than 48 hours before this meeting.